

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

Kevin Loren DANIELS

Case No.

J.G.M. 765

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 26, 2021 in the county of Franklin in the  
Southern District of Ohio, the defendant(s) violated:

## Code Section

18 U.S.C. 1951  
 18 U.S.C. 924(c)(1)(A)(ii)

## Offense Description

Interference with Interstate Commerce through Robbery  
 Brandishing a Firearm During the Commission of an Offense of Violence

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Brian V. Boesch TFO  
 6651  
 Complainant's signature

ATF Task Force Officer Brian V. Boesch

Printed name and title

Sworn to before me and signed in my presence. VIA FACETIMEDate: November 29, 2021City and state: Columbus, OH

Elizabeth Preston Deavers  
 Judge's signature

Magistrate Judge Elizabeth Preston Deavers

Printed name and title

## ATTACHMENT A

I, Brian V. Boesch, being duly sworn, depose and state that:

I have been a police officer with the Columbus Division of Police since November of 1994. I am currently assigned as a Task Force Officer with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been so assigned since July of 2014. I was previously assigned as a robbery detective for eight and a half years and successfully investigated robberies and extortions. As a Task Force Officer, I am also authorized to carry firearms, execute warrants, make arrests for offenses against the United States, and perform other such duties as authorized by law.

1. This affidavit is made in support of an application for a federal arrest warrant and criminal complaint against **Kevin Loren DANIELS** for the following:
  - a. Interference with Interstate Commerce through Robbery, in violation of 18 U.S.C. § 1951;
  - b. Brandishing a Firearm During the Commission of an Offense of Violence, in violation of 18 U.S.C. § 924(c)(1)(A)(ii); and

My knowledge of this investigation is based upon my own personal observations, as well as the observation and investigation conducted by other law enforcement officers knowledgeable of the facts and circumstances involved in the subject investigation. I have not included in this Affidavit all the facts known to me, but only that information sufficient to establish probable cause to believe that DANIELS has committed the above-referenced violations.

2. On or about Friday, November 26, 2021, at approximately 7:37p.m., a male black (or black male) suspect wearing all black clothing and a blue gaiter type mask entered the T-Mobile store located at 5064 N. High Street, Columbus, Ohio. The suspect approached Clerk #1 (C1) at the front counter and asked to see the manager. Clerk #2 (C2) was exiting the back room and approached the suspect to assist him.
3. The suspect told C2 to take him to the safe and give him all the phones. C2 hesitated, thinking it was a joke until the suspect brandished a black semi-automatic handgun and repeated his demand to be taken to the safe and given all the phones. The suspect led C1 and C2 to the back room at gunpoint. Once inside the back room, the suspect pulled out two plastic bags and told the victim clerks to fill them with the phones.
4. As C1 was filling one bag with the phones, the suspect demanded C2 fill the second bag with cash from the safe. Both victim clerks complied and handed the suspect approximately \$650 in cash and an undetermined amount of cell phones. The suspect then demanded access to a larger safe that contained more phones. C2 informed him that the safe was on a time delay and he would have to wait. The suspect then demanded access to a safe that contained more cash. C2 found a couple of other phones and handed them to the suspect. C2 explained that they did not have a key for that safe, only the armored car company can access the safe.
5. The suspect then picked up both bags and proceeded to spray chemical mace in the faces of both victim clerks. The mace temporarily blinded both victim clerks, but they heard the suspect run out the back door. Both clerks attempted to clear their vision and were able to call 911 to report the robbery.

6. Unbeknownst to the suspect, C2 placed a bait cell phone box into the bag the suspect took with him. The bait cell phone box contained a GPS tracker that was activated the moment it was removed from the safe. The tracking company contacted the Columbus Division of Police (CPD) and provided updated location information of the bait cell phone box.
7. On November 26, 2021 at 7:52pm, CPD officers were able to identify the suspect vehicle as a dark blue Audi Q7, bearing Ohio registration HVK-6485. Officers initiated a pursuit and activated their cruiser's lights and sirens. The suspect did not comply and pull over, but rather fled from the officers through neighborhoods and on main streets at speeds in excess of ninety miles per hour (90mph).
8. The suspect finally stopped the vehicle and fled on foot. He was apprehended a short time later at Atcheson Street and Trevitt Street, within the city limits of Columbus. The suspect was identified as Kevin Loren DANIELS after he was placed in the rear of a CPD cruiser. DANIELS asked the officers how they got him so quick and asked if there was a tracker in the cell phones. The arresting officers observed the bag of cell phones in the back seat of the Audi but did not recover a firearm. They stated DANIELS told them he threw a bag out of the window but would not say if the handgun used in the robbery was in that bag.
9. DANIELS was transported to CPD Headquarters to be interviewed by Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Task Force Officer (TFO) Brian V. Boesch and CPD Robbery Detective Todd Agee. Detective Agee advised DANIELS of his constitutional rights by reading them to him as DANIELS read along with his copy. DANIELS waived his rights and agreed to be interviewed.
10. DANIELS confessed to committing the robbery of the T-Mobile store that day. He stated he needed money because he was unemployed. DANIELS further stated that he maced the victims so they would not be able to see the direction that he was fleeing. DANIELS would not say if he discarded the handgun he used in the robbery.
11. On July 5, 2007, DANIELS was convicted in the Southern District of Ohio for violating U.S.C. 18 § 1951 – Interference with Interstate Commerce by Robbery and 18 U.S.C. § 924(c)(1)(A)(i) – Possession of a Firearm During and in Relation to an Offense of Violence and sentenced to 72 months in federal prison.
12. T-Mobile is the brand name used by the mobile communications subsidiaries of the German telecommunications company Deutsche Telekom AG. The brand is also active in the Czech Republic (T-Mobile Czech Republic), the Netherlands (T-Mobile Netherlands), Poland (T-Mobile Polska), and the United States (T-Mobile US). T-Mobile operates the second largest wireless network in the United States. They sell Apple iPhones, which are made in China and shipped internationally and across state lines to stores in America. T-Mobile also completes transactions using credit cards, which are transmitted over the internet and across state lines. Therefore, T-Mobile is engaged in interstate commerce.

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13. The T-Mobile store at 5064 N. High St. is located in Franklin County, in the Southern District of Ohio.

Brian V. Boesch TFO  
6551

Brian V. Boesch, ATF Task Force Officer

Sworn to before me and signed in my presence *via Facetime*

Elizabeth Preston Deavers

ELIZABETH PRESTON DEAVERS  
U.S. MAGISTRATE JUDGE



November 29, 2021

DATE